

Ronald Wilcox, Esq. Bar No. 176601
1900 The Alameda, Suite 530
San Jose, CA 95126
Tel: 408-296-0400
Fax: 408-296-0486

**UNITED STATES BANKRUPTCY COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN JOSE**

In Re:

HYE RHEE KONG

Debtor,

v.

KELKRIS ASSOCIATES, INC
DBA CREDIT BUREAU ASSOCIATES,

Defendant.

Chapter 13

Case No.: 08-50127 RLE
Judge Stephen L. Johnson

Adversary Proceeding No.:

MOTION FOR EX PARTE ORDER REOPENING CASE NO. 08-50127
TO PURSUE DISCHARGE VIOLATIONS AND OTHER RELIEF

COME NOW the above-named debtor, by and through their attorney of record, and respectfully move the Court pursuant to Section 350(b) of Title 11 of the United States Code and Rule 60 of the Federal Rules of Civil Procedure for the ex parte order to REOPEN this case in order to pursue possible discharge violations against KelKris Associates, Inc., dba Credit Bureau Associates, and possibly others, in this proceeding.

THE DEBTOR respectfully shows unto this Court that a Final Order of Discharge was duly entered in this proceeding on September 15, 2010. Since this discharge, Defendant, KelKris Associates, Inc., dba Credit Bureau Associates, has attempted to collect a discharge debt, has continued to falsely report the debt is still owed and has brought a suit against Plaintiff in the

Superior Court of California-San Francisco Division, for the amount of \$22,412.17. Defendant is attempting to collect a home owners association debt from Plaintiff, which was discharged in Plaintiff's Chapter 13 Bankruptcy Case. Defendant's lawsuit is in violation of the bankruptcy discharge.

THE DEBTOR is informed and believes and therefore alleges that it would be in the interest of justice to reopen this case and allow the Debtor to proceed with the legal action described and she so moves the Court for such relief and for such additional relief as the Court may deem just and proper.

Dated: 7/31/13

/s/Ronald Wilcox
Ronald Wilcox, Debtor's Attorney

DECLARATION OF RONALD WILCOX IN SUPPORT

I, RONALD WILCOX, hereby declare as follows:

1. I did not represent the Debtor in the above-captioned bankruptcy case. Debtor was referred to my office by, James K. Shulman, the attorney who represented her in her Chapter 13 Case.
2. Since the final decree was entered, a creditor has attempted to collect a discharged debt, including filing a lawsuit against Debtor, despite warning letters from the debtor's bankruptcy attorney, James K. Shulman, notifying them of the discharge injunction. The creditor also communicated with a debtor known to be represented by counsel and falsely reported to credit reporting agencies that a debt was still owed.

I declare under penalty of perjury that the foregoing statements are true and correct and that if called as a witness herein I could and would competently testify thereto, and that this declaration was executed on July 31, 2013, at San Jose, California.

/s/ Ronald Wilcox
Ronald Wilcox, Attorney for the Debtor